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10 CAVALRY INVESTMENTS, LLC

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

13 James M. Kinder,

14 Plaintiff,

15 v.

16 Cavalry Investments, LLC dba Cavalry Portfolio
17 Services,

18 Defendant.

Case No.: 07CV2274 IEG (WMC)

**Defendant's Statement of Non-Opposition to
Plaintiff's Motion to Remand**

Date: March 17, 2008

Time: 10:30 a.m.

Place: Department 1

19 Defendant does not oppose Plaintiff's motion to remand this matter to California state court for
20 the county of San Diego. Defendant maintains, however, that there was and remains a basis for
21 Federal subject matter jurisdiction in this matter.

22 Dated: March 3, 2008

23 Ellis, Coleman, Poirier, LaVoie, & Steinheimer LLP

24 By 

25 David B. Leas
26 Attorney for
27 CAVALRY INVESTMENTS, LLC
28

CERTIFICATE OF SERVICE

I, Jennifer Mueller, declare:

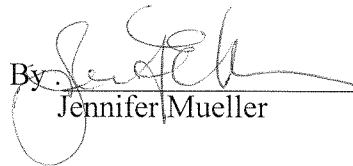
I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 555 University Avenue, Suite 200 East, Sacramento, CA 95825.

On March 3, 2008, I served the following document(s) on the parties in the within action:

Defendant's Statement of Non-Opposition to Plaintiff's Motion to Remand

X	VIA ELECTRONIC SERVICE: The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system, as stipulated by all parties to constitute personal service, to the following:
	BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows:
	BY HAND: The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by _____, addressed as follows:
	VIA FACSIMILE: The above-described document(s) was transmitted via facsimile from the fax number shown on the attached facsimile report, at the time shown on the attached facsimile report, and the attached facsimile report reported no error in transmission and was properly issued from the transmitting facsimile machine, and a copy of same was mailed, on this same date to the following:
	VIA OVERNIGHT SERVICE: The above-described document(s) will be delivered by overnight service, to the following:
Chad Austin Attorney at Law 3129 India Street San Diego, CA 92103	Attorneys for Plaintiff James M. Kinder

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on March 3, 2008.

By: 
 Jennifer Mueller